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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/622,423	07/21/2003	George A. Culbertson	21254.00	4958

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EXAMINER
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PATEL, DHIRUBHAI R

ART UNIT	PAPER NUMBER
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2831

DATE MAILED: 10/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/622,423

Applicant(s)

CULBERTSON, GEORGE A.

Examiner

DHIRU R PATEL

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 10-20 is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, a jack housing and at least one cable female- to- female connector recited in claim 1 must be shown or the feature(s) canceled from the claim(s). The examiner suggest showing reference number for at least one cable female- to- female connector and a jack housing . A proposed drawing correction or corrected drawings are required in reply to the office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance. No new matter should be entered.

Applicant is responsible for showing reference number for claimed invention.

2. Applicant is required to submit a proposed drawing correction in reply to this office action. However, formal correction of the noted defect may be deferred until after the examiner has considered the proposed drawing correction. Failure to timely submit the proposed drawing correction will result in the abandonment of the application.

3. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant

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will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 1-9 are rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for a cover, the specification does not reasonably provide enablement for at least one cable female to female connector.... and the other end of the at least one female to female extends internally of the jack housing through said corresponding one of said access ports. (See claim 1 lines 8-12). The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make or assemble the invention commensurate in scope with the claims. The specification doesn't reasonably disclose the claimed subject matter of claim 1, and therefore the subject matter of claim 1 is not enabled by the disclosure of the invention. The applicant is required to cancel the claim or provide a reasonable explanation of why they feel the specification supports the subject matter as disclosed in claim 1.

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**Please note that the claim or claims must conform to the invention as set forth in the remainder of the specification and the terms and phrases used in the claims must find clear support or antecedent basis in the description so that the meaning of the terms in the claims may be ascertainable by reference to the description, see MPEP 608.01 (d)(1).**

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1 -9 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1 line 6, " a cover attached to said base" is confusing and unclear in light of the specification, the examiner interpreted as " a cover being attached to said housing" instead for clarity.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

a person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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6. Claims 1-2, 8-9 as best understood, are rejected under 35 U.S.C. § 102(b) as being anticipated by Bowman et al (5,180,074).

Bowman et al disclose:

Regarding claim 1, a jack housing 1 (see figs 1-2, column 2 lines 5-10) comprising: a hollow base 15 (see figs 1-2, column 2 lines 50-55) having a base inner wall having a periphery and a sidewall 16, 17, 20 and 21 extending outward around the periphery of said base (see figs 1-2, and the entire column 2); a cover 10 attached to said housing (see fig 1); said jack housing defining a plurality of access ports 22, 23 (see fig 4, column 1 lines 1-15 and column 2 lines 40-45); and at least one cable female-to-female connector 13 (see fig 2, column 2 lines 19-25) disposed through a corresponding one of said access ports (see fig 2) for connection with a cable television cable wherein one end of the at least one female-to-female connector extends externally of the jack housing, and the other end of the at least one female-to-female extends internally of the jack housing through said corresponding one of said access ports (see fig 2, near element 20).

Regarding claim 2, wherein said at least one female-to-female connector comprises a linear female-to-female cable connector (see figs 1-2).

Regarding claim 8, further comprising another linear female-to-female connector disposed in another said access port, each said access port being located in said housing wall, and a connector cable connecting each said female-to-female connector within said housing, wherein the input cable is connected to one of said female-to-female connectors

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exterior to said housing and the output cable is connected to the other of said female-to-female connectors exterior to- said housing (see figs 2-3).

Regarding claim 9, wherein said hollow base is generally rectangular (see figs 1-2), and having two ports in at least one sidewall (see figs 2-4), each said female-to-female connectors being disposed in a corresponding one of said two ports in said one sidewall (see figs 2-3).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103 (a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) a patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 3-7 as best understood, are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Bowman et al (5,180,074).

Bowman et al disclose:

Regarding claim 3, the assembly of Bowman disclose all of the claimed features as shown above, but fails to disclose said at least one female-to-female connector comprises a right angle female-to female cable connector having first

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and second threaded portions. it would have been an obvious matter of design choice to use at least one female-to-female connector comprises a right angle female-to female cable connector having first and second threaded portions , since applicant has not disclosed that said at least one female-to-female connector comprises a right angle female-to female cable connector having first and second threaded portions solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well with if designed with said at least one female-to-female connector comprises a right angle female-to female cable connector having first and second threaded portions of Bowman.

Regarding claim 4, the modified assembly of Bowman disclose all of the claimed features as shown above, including a connector clamp attached to said base so sized and configured as to hold the connector collar of an input cable (see fig 2, said clamp is not numbered, but clearly shows between elements 13 and 21), said input cable being disposed through another of said plurality of access ports (see figs 2-3).

Regarding claim 5, the assembly of Bowman disclose all the features of the claimed invention as shown above, including said other of said plurality of access ports being located in said sidewall (see figs 2-3), but fails to disclose said one of said plurality of access ports is located in said cover. It would have been obvious to one having ordinary skill in the art at the time the invention was



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made to provide any number of access ports, since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8.

Regarding claim 6, the modified assembly of Bowman disclose all the features of the claimed invention as shown above, it is noted that as best understood, the modified assembly of Bowman meet the structural limitations.

Regarding claim 7, the modified assembly of Bowman disclose all the features of the claimed invention as shown above, with respect to a connecting cable and a linear female - to- female connector disposed through said other of said plurality of access ports, said connecting cable connecting said horizontal threaded portion of said right angle connector with said linear female-to-female connector, the input cable being connected to said female-to female connector exterior to said housing (see fig s 2-3). It is noted that the modified assembly of Bowman meet the structural limitations.

***Allowable Subject Matter***

8. Claims 10-20 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

The primary reasons for the indication of the allowability of claims 10-20 are the inclusion therein, in combination as currently claimed, of the limitation of a generally rectangular cover having an outer wall and peripheral opposed side walls, a closure end wall, and a cable access end wall and conforming with said rectangular base such that said peripheral

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cover walls slidingly engage said peripheral base walls and abut said inner wall of said rectangular base upon closure of said cover over said base.

The previously listed limitation is neither disclosed nor taught by the prior art of record, alone or in combination.

### ***Conclusion***

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

### ***Response to Arguments***

10. Applicant's arguments with respect to claims 1-9 have been considered but are moot in view of the new ground(s) of rejection.

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***Contact information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dhiru Patel whose telephone number is 571-272-1983. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on 571-272-2800 ext 31. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://paired.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).

Dhiru Patel  
Primary Examiner  
Group Art Unit 2831  
October 23, 2004

  
10/23/04.  
DHIRU R. PATEL  
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